



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Boyd et al.

Application No.: 10/667,540

Filed: September 22, 2003

Title: Devices and Methods for the  
Restoration of a Spinal Disc

)  
) Attorney Docket No: 1842-0024  
)

)  
) Examiner: To be assigned  
)

)  
) Group Art Unit: To be Assigned  
)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being  
deposited with the United States Postal Service as  
first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 on November 6, 2003  
(date of deposit).

Michael D. Beck

(Registered Representative)

Michael D. Beck  
(Signature)

November 6, 2003

(Date of Signature)

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, Applicants hereby disclose the following references.

In accordance with the waiver granted July 11, 2003, no copies of the U.S. references are  
required. The following references were cited in the background of the present  
application:

<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
4,132,746	Urry et al.	01/02/1979
4,187,852	Urry et al.	02/12/1980
4,474,851	Urry	10/02/1984
4,500,700	Urry	02/19/1985
4,589,882	Urry	05/20/1986
4,783,523	Urry et al.	11/08/1988
4,870,055	Urry et al.	09/26/1989
4,898,962	Chan et al.	02/06/1990
5,030,215	Morse et al.	07/09/1991
5,064,430	Urry	11/12/1991
5,219,328	Morse et al.	06/15/1993
5,235,041	Cappello et al.	08/10/1993
5,259,971	Smith Morse et al.	11/09/1993
5,318,524	Morse et al.	06/07/1994
5,641,648	Ferrari et al.	06/24/1997
5,723,588	Donofrio et al.	03/03/1998
5,760,004	Stedronsky	06/02/1998
5,770,697	Ferrari et al.	06/23/1998
5,773,249	Cappello et al.	06/30/1998
5,773,577	Cappello	06/30/1998
5,808,012	Donofrio et al.	09/15/1998
5,817,303	Stedronsky et al.	10/06/1998
5,830,713	Ferrari et al.	11/03/1998
5,874,500	Rhee et al.	02/23/1999
5,936,035	Rhee et al.	08/10/1999
5,962,648	Berg	10/05/1999
6,004,782	Daniell	12/21/1999
6,015,474	Stedronsky	01/18/2000
6,018,030	Ferrari et al.	01/25/2000
6,033,654	Stedronsky et al.	03/07/2000
6,051,648	Rhee et al.	04/18/2000
6,110,484	Sierra	08/29/2000
6,111,165	Berg	08/29/2000
6,123,687	Simonyi et al.	09/26/2000
6,140,072	Ferrari et al.	10/31/2000
6,165,489	Berg et al.	12/26/2000
6,166,130	Rhee et al.	12/26/2000
6,184,348	Ferrari et al.	02/06/2001
6,187,048	Milner et al.	02/13/2001
6,224,630	Bao et al.	05/01/2001
6,248,131	Felt et al.	06/19/2001
6,258,872	Stedronsky	07/10/2001
6,277,394	Sierra	08/21/2001
6,306,177	Felt et al.	10/23/2001
6,312,725	Wallace et al.	11/06/2001
6,323,278	Rhee et al.	11/27/2001
6,344,488	Chenite et al.	02/05/2002

<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
6,355,776	Ferrari et al.	03/12/2002
6,380,154	Cappello et al.	04/30/2002
6,413,742	Olsen et al.	07/02/2002
6,423,333	Stedronsky et al.	07/23/2002
6,428,576	Haldimann	08/06/2002
6,428,978	Olsen et al.	08/06/2002

The following are newly cited references:

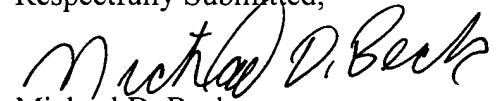
<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
4,736,738	Lipovsek et al.	04/12/1988
4,904,260	Ray et al.	02/27/1990
5,556,429	Felt	09/17/1996
5,722,977	Wilhelmy	03/03/1998
5,800,549	Bao et al.	09/01/1998
5,888,220	Felt et al.	03/30/1999
6,048,346	Reiley et al.	04/11/2000
6,113,639	Ray et al.	09/05/2000
6,245,107	Ferree	06/12/2001
6,395,007	Bhatnagar et al.	05/28/2002
6,402,750	Atkinson et al.	06/11/2002
6,425,919	Lambrecht	07/30/2002
6,440,138	Reiley et al.	08/27/2002
6,443,988	Felt et al.	09/03/2002
6,447,512	Landry et al.	09/10/2002
6,482,235	Lambrecht et al.	11/19/2002
6,500,205	Michelson	12/31/2002
6,508,839	Lambrecht et al.	01/21/2003
6,592,625	Cauthen	07/15/2003
6,595,998	Johnson et al.	07/22/2003

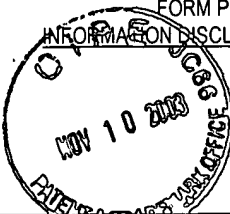
<u>U.S. Pat. App. Pub. No.</u>	<u>Inventor</u>	<u>Issue Date</u>
US2002/0045942	Ham	04/18/2002
US2002/0111688	Cauthen	08/15/2002
US2002/0120337	Cauthen	08/29/2002
US2002/0123807	Cauthen, III	09/05/2002
US2002/0151980	Cauthen	10/17/2002
US2002/0156531	Felt et al.	10/24/2002
US2002/0189622	Cauthen, III et al.	12/19/2002
US2003/0033017	Lotz et al.	02/13/2003
US2003/0120345	Cauthen	06/26/2003

It is believed that no fees are due for the consideration of this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 13-0014, but not to include any payment of issue fees.

November 6, 2003  
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Respectfully Submitted,

  
Michael D. Beck  
Attorney for Applicants  
Registration No. 32,722

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT 	ATTY. DOCKET NO.: 1842-0024	APPLICATION NO. 10/667,540
	APPLICANT: Boyd et al.	
	FILING DATE: September 22, 2003	GROUP ART UNIT: To be assigned

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	4,132,746	01/02/1979	Urry et al.			
	AB	4,187,852	02/12/1980	Urry et al.			
	AC	4,474,851	10/02/1984	Urry			
	AD	4,500,700	02/19/1985	Urry			
	AE	4,589,882	05/20/1986	Urry			
	AF	4,783,523	11/08/1988	Urry et al.			
	AG	4,870,055	09/26/1989	Urry et al.			
	AH	4,898,962	02/06/1990	Chan et al.			
	AI	5,030,215	07/09/1991	Morse et al.			
	AJ	5,064,430	11/12/1991	Urry			
	AK	5,219,328	06/15/1993	Morse et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

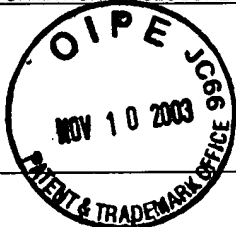
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AR	<u>1</u>	
AS	<u>1</u>	

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	BA	5,235,041	08/10/1993	Cappello et al.			
	BB	5,259,971	11/09/1993	Smith Morse et al.			
	BC	5,318,524	06/07/1994	Morse et al.			
	BD	5,641,648	06/24/1997	Ferrari et al.			
	BE	5,723,588	03/03/1998	Donofrio et al.			
	BF	5,760,004	06/02/1998	Stedronsky			
	BG	5,770,697	06/23/1998	Ferrari et al.			
	BH	5,773,249	06/30/1998	Cappello et al.			
	BI	5,773,577	06/30/1998	Cappello			
	BJ	5,808,012	09/15/1998	Donofrio et al.			
	BK	5,817,303	10/06/1998	Stedronsky et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	BL						Yes No
	BM						Yes No
	BN						Yes No
	BO						Yes No
	BP						Yes No


## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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	BR	<u>2</u>	
	BS	<u>2</u>	

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	CA	5,830,713	11/03/1998	Ferrari et al.			
	CB	5,874,500	02/23/1999	Rhee et al.			
	CC	5,936,035	08/10/1999	Rhee et al.			
	CD	5,962,648	10/05/1999	Berg			
	CE	6,004,782	12/21/1999	Daniell			
	CF	6,015,474	01/18/2000	Stedronsky			
	CG	6,018,030	01/25/2000	Ferrari et al.			
	CH	6,033,654	03/07/2000	Stedronsky et al.			
	CI	6,051,648	04/18/2000	Rhee et al.			
	CJ	6,110,484	08/29/2000	Sierra			
	CK	6,111,165	08/29/2000	Berg			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	CL						Yes No
	CM						Yes No
	CN						Yes No
	CO						Yes No
	CP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	CQ	<u>3</u>	
	CR	<u>3</u>	
	CS	<u>3</u>	

EXAMINER	DATE CONSIDERED
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	DA	6,123,687	09/26/2000	Simonyi et al.			
	DB	6,140,072	10/31/2000	Ferrari et al.			
	DC	6,165,489	12/26/2000	Berg et al.			
	DD	6,166,130	12/26/2000	Rhee et al.			
	DE	6,184,348	02/06/2001	Ferrari et al.			
	DF	6,187,048	02/13/2001	Milner et al.			
	DG	6,224,630	05/01/2001	Bao et al.			
	DH	6,248,131	06/19/2001	Felt et al.			
	DI	6,258,872	07/10/2001	Stedronsky			
	DJ	6,277,394	08/21/2001	Sierra			
	DK	6,306,177	10/23/2001	Felt et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	DL						Yes No
	DM						Yes No
	DN						Yes No
	DO						Yes No
	DP						Yes No


## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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	EA	6312,725	11/06/2001	Wallace et al.			
	EB	6,323,278	11/27/2001	Rhee et al.			
	EC	6,344,488	02/05/2002	Chenite et al.			
	ED	6,355,776	03/12/2002	Ferrari et al.			
	EE	6,380,154	04/30/2002	Cappella et al.			
	EF	6,413,742	07/02/2002	Olsen et al.			
	EG	6,423,333	07/23/2002	Stedronsky et al.			
	EH	6,428,576	08/06/2002	Haldimann			
	EI	6,428,978	08/06/2002	Olsen et al.			
	EJ	4,736,738	04/12/1988	Lipovsek et al.			
	EK	4,904,260	02/27/1990	Ray et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	EL						Yes No
	EM						Yes No
	EN						Yes No
	EO						Yes No
	EP						Yes No

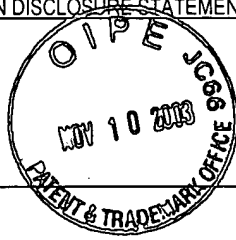
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EXAMINER	DATE CONSIDERED
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	FA	5,556,429	09/17/1996	Felt			
	FB	5,722,977	03/03/1998	Wilhelmy			
	FC	5,800,549	09/01/1998	Bao et al.			
	FD	5,888,220	03/30/1999	Felt et al.			
	FE	6,048,346	04/11/2000	Reiley et al.			
	FF	6,113,639	09/05/2000	Ray et al.			
	FG	6,245,107	06/12/2001	Ferree			
	FH	6,395,007	05/28/2002	Bhatnagar et al.			
	FI	6,402,750	06/11/2002	Atkinson et al.			
	FJ	6,425,919	07/30/2002	Lambrecht			
	FK	6,440,138	08/27/2002	Reiley et al.			

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	FL						Yes No
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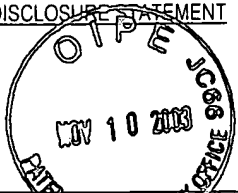
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	GA	6,443,988	09/03/2002	Felt et al.			
	GB	6,447,512	09/10/2002	Landry et al.			
	GC	6,482,235	11/19/2002	Lambrech et al.			
	GD	6,500,205	12/31/2002	Michelson			
	GE	6,508,839	01/21/2003	Lambrech et al.			
	GF	6,592,625	07/15/2003	Cauthen			
	GG	6,595,998	07/22/2003	Johnson et al.			
	GH	US2002/0045942	04/18/2002	Ham			
	GI	US2002/0111688	08/15/2002	Cauthen			
	GJ	US2002/0120337	08/29/2002	Cauthen			
	GK	US2002/0123807	09/05/2002	Cauthen, III			

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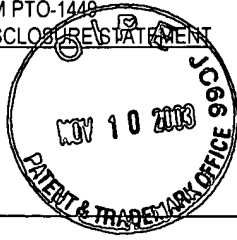
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	GL						Yes No
	GM						Yes No
	GN						Yes No
	GO						Yes No
	GP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	GQ	1	
	GR	1	
	GS	1	

EXAMINER	DATE CONSIDERED
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	HA	US2002/0151980	10/17/2002	Cauthen			
	HB	US2002/0156531	10/24/2002	Felt et al.			
	HC	US2002/0189622	12/19/2002	Cauthen, III et al.			
	HD	US2003/0033017	02/13/2003	Lotz et al.			
	HE	US2003/0120345	06/26/2003	Cauthen			
	HF						
	HG						
	HH						
	HI						
	HJ						
	HK						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	HL						Yes No
	HM						Yes No
	HN						Yes No
	HO						Yes No
	HP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	HQ	<u>8</u>	
	HR	<u>8</u>	
	HS	<u>8</u>	

EXAMINER

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